

NOTICE:

**Item will be brought up under Reports of Officers:
City Manager.**



CITY OF ROANOKE

OFFICE OF THE CITY MANAGER

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November 17, 2003

Honorable Ralph K. Smith, Mayor
Honorable C. Nelson Harris, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable M. Rupert Cutler, Council Member
Honorable Alfred T. Dowe, Jr., Council Member
Honorable Beverly T. Fitzpatrick, Jr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Amendment to the Zoning Ordinance related to the regulation of Outpatient Mental Health and Substance Abuse Clinics

Currently, the City of Roanoke Zoning Ordinance provides for a single definition of a medical clinic, defining them as "an establishment which offers medical - or health - related counseling or treatment (including diagnosis), including dental, optical, and psychiatric treatment, where treatment is offered by more than two (2) licensed professional medical practitioners."

As indicated by the definition, this use broadly covers a wide range of medical specialties and practices. While most medical facilities and clinics have similar physical, functional, and land use characteristics, there are other types of facilities that, by nature of their operational and functional needs or characteristics, could have potential adverse impacts on adjacent land uses. Certain medical clinics which provide services for drug and alcohol abuse or treatment of mental illness have the potential to exhibit operational hours, parking needs, and security measures that are unique unto themselves, and are not shared by other medical clinic facilities as contemplated by our current zoning ordinance definition.

To address potential adverse impacts of some types of medical clinics as currently defined by the Zoning Ordinance one alternative would be to maintain the current broad definition of medical clinics, and regulate them all by Special Exception as opposed to the manner in which they are regulated today either by Special Exception or 'By Right' depending on the applicable zoning district. This option, however, while sufficiently

addressing new locations, would result in allowing any existing medical clinic location to change its medical specialty or type of practice without obtaining a Special Exception.

Therefore, in order to better define and regulate certain types of medical clinics which tend to exhibit unique functional and operational characteristics, a new definition is proposed to be added to the Zoning Ordinance. This proposed definition is outlined below:

Outpatient Mental Health and Substance Abuse Clinic:

An establishment which provides outpatient services related to the treatment of mental health disorders, alcohol, or other drug or substance abuse disorders including the dispensing and administering of controlled substances and pharmaceutical products by licensed professional medical practitioners.

This use is proposed to be permitted only in the C-2 General Commercial District upon issuance of a Special Exception by the Board of Zoning Appeals.

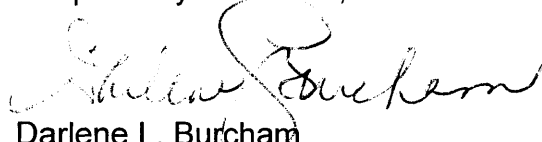
These proposed amendments will provide a specific process for the review and approval of these types of medical facilities including general public notice of such a proposed use, the notification of abutting property owners, and a public hearing by the Board of Zoning Appeals.

This option allows for the retention of the current definition and regulation of other types of medical clinics as originally contemplated by the Zoning Ordinance.

Recommended Action:

City Council adopt a resolution authorizing a joint public hearing with the City Planning Commission concerning the adoption of this Zoning Ordinance amendment at its December 15, 2003 meeting.

Respectfully submitted,


Darlene L. Burcham
City Manager

Attachments

c: William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
Jesse A. Hall, Director of Finance
Brian Townsend, Director of Planning Building and Development